

REMARKS

As a preliminary matter, Applicants wish to thank Examiner Van and Supervisory Examiner Nguyen for the courtesy extended in granting the personal interview that took place on January 14, 2010. During the interview, Applicants' representative reiterated the remarks and arguments made in the Amendment filed on June 23, 2009.

Specifically, Applicants' representatives point out that U.S. Patent No. 6,475,369 to Cohen ("Cohen") does not disclose or suggest the unique combination of elements recited in claim 72 including a "cavity **substantially devoid of soluble anode material**"; "depositing a quantity of soluble anode material **on the less soluble surface of the cavity**"; "insulating pattern [being] arranged directly on the less soluble surface **in a manner substantially preventing undercutting of the insulating pattern layer during plating**"; and "insulating pattern layer **arranged directly on the less soluble surface**". Accordingly, Applicants respectfully request reconsideration of the 35 U.S.C. § 103(a) rejections of the claims in view of the Amendment filed on June 23, 2009, incorporated herein by reference.

Furthermore, Applicants respectfully request reconsideration of the rejection of claims 80, 82-84, 97, and 99 under 35 U.S.C. § 112, first paragraph. Under M.P.E.P. § 2163.04, "the Examiner has the initial burden of presenting by a **preponderous of the evidence** why a person skilled in the art would not recognize in an Applicant's disclosure a description of the invention defined by the claims. *Wertheim*, 541 F.2d at 263, 191 USPQ at 97." As part of such analysis, it must be kept in mind that "the subject matter of the claim need not be described literally. . . ." M.P.E.P. § 2163.02. In the response filed June 23, 2009, Applicants provide a detailed explanation of why a

person of ordinary skill in the art would recognize the application as disclosing each claim element at issue. The PTO has not met its burden of showing otherwise.

Applicants' representative reiterated this in the interview, pointing the Examiners to the support. Accordingly, Applicants respectfully request that the rejection of these claims be withdrawn in light of the interview discussion and the evidence supplied in the Amendment filed on June 23, 2009.

Finally, should the Examiners note any impediment to allowance, Applicants respectfully request that the Examiners telephone Applicants' representative to discuss.

CONCLUSION

In view of the foregoing, the pending claims are neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore respectfully request the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 14, 2010

By: 

Gerson S. Panitch
Reg. No. 33,751
Telephone: (202) 408-4080